

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/18/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

SOUDAVONE VILAYVANH, as
Administrator of the Estate of ROBERT C.
SMITH, deceased, and SOUDAVONE
VILAYVANH, individually,

C.A.N.: 1:20 CV 07226
(VEC)(DCF)

Plaintiffs,

NOTICE OF MOTION

-against-

EAST 111TH STREET PROPERTIES, LLC,
EDISON PARKING CORPORATION,
EDISON N.Y. PARKING, LLC, and F & E
SERVICES, INC.,

Defendants.

-----X

PLEASE TAKE NOTICE, that upon the annexed declaration of Matthew J. Maiorana, duly executed on September 16, 2020, together with the exhibits annexed thereto, the accompanying memorandum of law, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Valerie E. Caproni, at the Thurgood Marshall United States Courthouse, 40 Foley Sq., New York, New York 10007, for an Order, pursuant to 28 U.S.C. § 1447(c), remanding this action to the Supreme Court of the State of New York, County of New York; and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b)(2), answering papers must be served by September 30, 2020.

Dated: New York, New York
September 16, 2020

Yours, etc.

QUELLER, FISHER, WASHOR,
FUCHS & KOOL and THE LAW OFFICE
OF WILLIAM A. GALLINA, LLP

By: /S/ Matthew J. Maiorana

Matthew J. Maiorana (MM5346)
233 Broadway
New York, New York 10279
(212) 406-1700

Attorneys for Plaintiffs

To: Vach Vivacharawongse, Esq.
Eustace, Prezioso & Yapchanyk
55 Water Street, 28th Floor
New York, New York 10041
(212) 612-4200

Attorneys for Defendants
East 111th Street Properties, LLC,
Edison Parking Corp., and Edison NY Parking, LLC

James V. Sawicki, Esq.
Weiser & McCarthy
17 State Street, 8th Floor
New York, New York 10004
(212) 709-2193

Attorneys for Defendant
F & E Services, Inc.

Defendants' response is due not later than **October 2, 2020**. In their response, Defendants must fully address the Court's questions from its September 8, 2020 order. Plaintiffs may reply not later than **October 9, 2020**.

SO ORDERED.



09/18/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE